

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Ernest O. Ryan**  
**Susan R. Ryan**  
Debtor(s)

Bankruptcy Case No.: 15-21019-GLT  
Issued Per 9/24/2015 Proceeding  
Chapter: 13  
Docket No.: 24 - 5  
Concl. Conf.: September 24, 2015 at 01:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 10, 2015 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. *A final plan conciliation conference will be held on Sep. 24, 2015 at 01:00 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.* If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 1 of PA Rev, Claim No. 3 of Lakeview Loan and Claim No. 2 of American Honda Finance .
- H. Additional Terms:

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

**(3.) IT IS FURTHER ORDERED THAT:**

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to 11 U.S.C. §1322(b)(2), nothing in this Order shall be construed to change the payment terms established in the Plan.

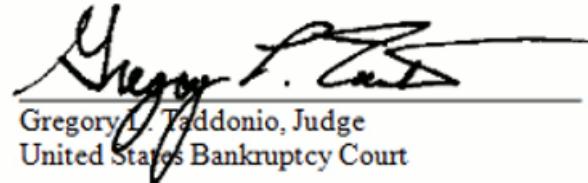
**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



\_\_\_\_\_  
Gregory L. Taddonio, Judge  
United States Bankruptcy Court

Dated: September 25, 2015

cc: All Parties in Interest to be served by Clerk in seven (7) days

District/Off: 0315-2

Case: 15-21019-GLT

User: dbas

Form ID: 149

Date Created: 9/25/2015

Total: 42

**Recipients submitted to the BNC (Bankruptcy Noticing Center) without an address:**

cr Duquesne Light Company  
 cr M&T Bank as servicer for Lakeview Loan Servicing LLC

**TOTAL: 2**

**Recipients of Notice of Electronic Filing:**

ust	Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
tr	Ronda J. Winnecour	cmevf@chapter13trustee.wpa.com
aty	Andrew F. Gornall	agornall@goldbecklaw.com
aty	Jennifer L. Cerce	jlc@mbm-law.net
aty	Kenneth M. Steinberg	julie.steidl@steidl-steinberg.com
	Peter J. Ashcroft	pashcroft@bernsteinlaw.com

**TOTAL: 6**

**Recipients submitted to the BNC (Bankruptcy Noticing Center):**

db	Ernest O. Ryan	9033 Maple Street	Pittsburgh, PA 15239		
jdb	Susan R. Ryan	9033 Maple Street	Pittsburgh, PA 15239		
cr	Penn Hills School District	c/o Maiello, Brungo & Maiello, LLP	3301 McCrady Road	Pittsburgh, PA	
14027923	American Honda Finance Corporation		National Bankruptcy Center	P.O. Box 168088	Irving, TX
	75016-8088	866-716-6441			
14051670	American InfoSource LP as agent for		Verizon	PO Box 248838	Oklahoma City, OK
	73124-8838				
14077965	CERASTES, LLC	C O WEINSTEIN & RILEY, PS	2001 WESTERN AVENUE, STE		
	400	SEATTLE, WA 98121			
14067830	COMENITY CAPITAL BANK	C/O WEINSTEIN & RILEY, P.S.	2001 WESTERN AVENUE, STE		
	400	SEATTLE, WA 98121			
14017464	Capital One Bank	PO Box 71083	Charlotte, NC 28272		
14017465	Care Credit/Synchrony Bank	PO Box 960061	Orlando, FL 32896-0061		
14067108	Cavalry SPV I, LLC	500 Summit Lake Drive, Ste 400	Valhalla, NY 10595		
14017466	Chase/Slate	PO Box 15153	Wilmington, DE 19886-5153		
14017467	Credit Management	P.O. Box 16346	Pittsburgh, PA 15242		
14017468	Credit One Bank	P.O. Box 60500	City of Industry, CA		
14017469	Duquesne Light Company	PO Box 61	Pittsburgh, PA 15267		
14068746	Duquesne Light Company	c/o Peter J. Ashcroft,	Bernstein-Burkley, P.C.,	707 Grant St., Suite 2200,	
		Gulf Tower,	Pittsburgh, PA 15219		
14017470	Honda Financial Services	PO Box 7829	Philadelphia, PA 19101		
14017471	I Care Medical LLC	PO Box 5657	Johnstown, PA 15904		
14017472	JCP/Synchrony Bank	PO Box 960090	Orlando, FL 32896		
14017473	Juniper/Barclays	PO Box 13337	Philadelphia, PA 19101		
14077710	LVNV Funding, LLC its successors and assigns as	assignee of FNBML, LLC	Resurgent Capital		
	PO Box 10587	Greenville, SC 29603-0587			
14031939	Lakeview Loan Servicing LLC	M&T BANK	PO BOX 1288	Buffalo, NY 14240	
14017474	M&T Bank	PO Box 62182	Baltimore, MD 21264		
14017475	Paypal	2211 North First Street	San Jose, CA 95131		
14041999	Penn Hills School District	c/o Maiello Brungo & Maiello, LLP	3301 McCrady Road	Pittsburgh, PA	
	15235				
14022128	Pennsylvania Department of Revenue		Bankruptcy Division PO BOX 280946	Harrisburg, PA	
	17128-0946				
14017476	Peoples	PO Box 747105	Pittsburgh, PA 15274		
14048476	Peoples Natural Gas Company LLC	225 North Shore Drive, Suite 300	Pittsburgh, PA 15212	Attn:	
	Dawn Lindner				
14081480	Portfolio Recovery Associates, LLC	POB 12914	Norfolk VA 23541		
14017477	Premier Medical Associates	PO Box 644985	Pittsburgh, PA 15264		
14017478	Sam's Club/Synchrony Bank	PO Box 530942	Atlanta, GA 30353-0942		
14017479	The Affiliated Group	3055 41st NW, Suite 100	Rochester, MN 55901		
14017480	Verizon	PO Box 920041	Dallas, TX 75392		
14017481	Wal-Mart/Synchrony Bank	PO Box 530927	Atlanta, GA 30353-0927		
14017482	Wal-Mart/Synchrony Bank	PO Box 965024	Orlando, FL 32896		

**TOTAL: 34**